

Senate File 169 - Enrolled

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1 1 SENATE FILE 169
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1 3 AN ACT
1 4 PROVIDING FOR COUNTY ELIGIBILITY FOR STATE PAYMENT OF CERTAIN
1 5 MENTAL HEALTH, MENTAL RETARDATION, AND DEVELOPMENTAL
1 6 DISABILITIES SERVICES FUNDING AND PROVIDING EFFECTIVE AND
1 7 RETROACTIVE APPLICABILITY DATES.
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1 9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
1 10
1 11 Section 1. SERVICES FUND TRANSFER == ALLOWED GROWTH
1 12 PAYMENT.
1 13 1. For the purposes of this section, "services fund" means
1 14 a county's mental health, mental retardation, and
1 15 developmental disabilities services fund created under section
1 16 331.424A.
1 17 2. If a county failed to levy the maximum dollar amount
1 18 allowed for the county's services fund for the fiscal year
1 19 beginning July 1, 2006, the county shall qualify for the per
1 20 capita expenditure target pool allowed growth payment under
1 21 section 426B.5, subsection 1, made in that fiscal year
1 22 provided all of the following conditions are met:
1 23 a. The county has a population of more than 10,600 but
1 24 less than 10,700, according to the 2005 population estimate
1 25 issued by the federal government.
1 26 b. On the enactment date of this Act, the county has an
1 27 unobligated or unencumbered balance in the undesignated
1 28 portion of the general fund of the county under section
1 29 331.427 in an amount at least equal to the difference between
1 30 the actual dollar amount the county levied for the county's
1 31 services fund for the fiscal year and the maximum dollar
1 32 amount allowed to be levied for the county's services fund for
1 33 the fiscal year.
1 34 c. The county makes a one-time permanent transfer from the
2 1 general fund of the county to the county's services fund in
2 2 the amount identified under paragraph "a". The county is
2 3 authorized to make the transfer described in this paragraph
2 4 notwithstanding section 331.424A or any other provision of law
2 5 to the contrary.
2 6 d. The county auditor certifies to the department of human
2 7 services that the one-time permanent transfer from the general
2 8 fund of the county has been made in the specified amount to
2 9 the county's services fund and that the conditions of this
2 10 subsection have been met.
2 11 3. Upon receiving the certification required under
2 12 subsection 2, the county shall be deemed to have met the
2 13 requirement under section 426B.5, subsection 1, paragraph "c",
2 14 subparagraph (1), to be levying the maximum amount allowed for
2 15 the county's services fund for the fiscal year beginning July
2 16 1, 2006, and the department of human services shall authorize
2 17 adjustment of the allowed growth payment to the county
2 18 accordingly, subject to any other adjustments required under
2 19 2005 Iowa Acts, chapter 179, section 1, as amended by 2006
2 20 Iowa Acts, chapter 1184, section 73.
2 21 Sec. 2. STATE PAYMENT TO ELIGIBLE COUNTIES.
2 22 Notwithstanding section 331.439, subsection 1, paragraph "a",
2 23 a county that accurately reported the county's expenditures
2 24 for mental health, mental retardation, and developmental
2 25 disabilities services for the previous fiscal year on the
2 26 forms prescribed by the department of human services, and the
2 27 report was received after December 1, 2006, and on or before
2 28 March 15, 2007, shall be eligible for state payment, as
2 29 defined in section 331.438, in accordance with section 331.439
2 30 and other law providing for the state payment in the fiscal
2 31 year beginning July 1, 2006.
2 32 Sec. 3. EFFECTIVE DATE. This Act, being deemed of
2 33 immediate importance, takes effect upon enactment and applies
2 34 retroactively to July 1, 2006.
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JOHN P. KIBBIE
President of the Senate

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PATRICK J. MURPHY
Speaker of the House

I hereby certify that this bill originated in the Senate and
is known as Senate File 169, Eighty-second General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved _____, 2007

CHESTER J. CULVER
Governor